

From: Kevin Vargo
To: Microsoft ATR
Date: 1/23/02 8:10am
Subject: Microsoft Settlement

Dear Sir or Madam,

In today's society, technology is becoming more and more pervasive. Entering, and to some degree structuring, all aspects of daily life. As a Computer Science student, and now as a Computer Programmer professionally, I have a great deal of experience with the software/computer industry. I have recently graduated from Case Western Reserve University, and as a recent graduate, you can be assured that I have surveyed the field to find a company for which I would like to work. One which supports growth in the field as well as an acceptable pay range. The single greatest asset to my learning has been the Linux/Open Source movement. While I work for a company that prides itself on it's patents, I fully recognize the gains and pitfalls accompanying both. I feel that puts me in a decent position to make an educated suggestion on the current topic.

It is integral to the future of this field that a wise, far-reaching and Non-Political decision is made. For anyone who has any knowledge of the case, Microsofts blatant disregard for any laws or ethics (doctored video tape, etc) would cause any normal case to become speedily resolved. Why is this not the case for Microsoft? Unfortunately, I do not have any idea. This decision could very well change the entire face of the computer industry. Forever. I don't mean 10-years forever. I mean forever. Just as in research into Chemistry or Biology, so is research into Computer Science. The problem, however, is that Computer Science is not as well delineated into industry segments. Development of new methods and new procedures occurs throughout the industry, regardless of labs and R&D plants.

Stifling such growth is detrimental to the entire technology industry. A monopoly stifles new growth. Microsoft has been found guilty, in a court of law, of maintaining their monopoly on the Operating Systems market. None of this has been disputed. The terms of the settlement, however, do absolutely nothing to change this situation.

Nothing.

There are several points which need to be addressed. The current grip on OEM providers needs to be addressed. To this end, Microsoft's licensing schemes need to be overseen, and further regulated. It is not enough, by virtue of Microsoft's own failure to respect Governmental Authority, to ask them to be nice. This has failed time and again. The choice of receiving a computer, etc, without the operating system of Microsoft needs to be enforced. A consumer purchasing a new system very rarely has the opportunity to do so -- and Microsoft leverages their considerable monopoly to ensure that this remains the case. We have all seen the battle played

out with various large-scale computer producers.

Microsoft should be forced to compete fairly and ethically with all comers. This should take the form of releasing specifications that are true-to-fact, up-to-date and follow the course of "the truth, the whole truth, and nothing but the truth" in restrictive language so that Microsoft cannot continue to hide functionality or mislead people about the nature of their software. This should be enforced on both the APIs of software for the Operating System, as well as the file formats for such things as Microsoft Word, Money, etc.

In no way does a quick settlement aid any consumers. In no way is a quick settlement a matter which ensures domestic tranquility or national security. However, a well determined and thought out solution which forces a company, proven in court of law to be in breach of Anti-trust law, proven time and again in the judicial world to be unethical and completely disregarding of the authority of the courts (doctored video) which ensures the possibility for continued growth throughout the industry, to the aid and betterment of all consumers is a matter which could result in domestic tranquility and national security. In todays world, economy makes a country. Microsoft controls technology which controls a great deal of manufacture and industry in this country. The effects are far reaching and deep.

Please, I implore you as a consumer in the field, a professional in the field, and as an enthusiast in the field, do not fail to make an appropriately corrective conclusion to this penalty phase. Ensure that Microsoft is legally bound, with heavy penalties that are without gray area, to compete fairly, according to the laws of this nation. To do otherwise would be to fail utterly, and render the courts decision about the illegality of maintaining a monopoly utterly meaningless. That is what is at stake.

Please take the time to consider.

Sincerely,
Kevin Vargo